

Calendar No. 639

103D CONGRESS
2D SESSION

S. 112

A BILL

To establish the Hudson River Artists National
Historical Park in the State of New York, and
for other purposes.

SEPTEMBER 27 (legislative day, SEPTEMBER 12), 1994
Reported with an amendment and an amendment to the
title

Calendar No. 639

103^D CONGRESS
2^D SESSION

S. 112

To establish the Hudson River Artists National Historical Park in the State of New York, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. MOYNIHAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

SEPTEMBER 27 (legislative day, SEPTEMBER 12), 1994

Reported by Mr. JOHNSTON, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish the Hudson River Artists National Historical Park in the State of New York, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hudson River Artists
5 National Historical Park Act of 1993”.

1 **SEC. 2. DEFINITIONS.**

2 As used in this Act:

3 (1) HUDSON RIVER ARTISTS.—The term “Hud-
4 son River artists” means artists who belonged to the
5 Hudson River School of Landscape Painting de-
6 scribed in section 3(a)(1).

7 (2) HUDSON RIVER VALLEY REGION.—The
8 term “Hudson River Valley region” means the coun-
9 ties of Albany, Columbia, Dutchess, Greene, Orange,
10 Saratoga, Putnam, Rockland, Ulster, Rensselaer,
11 Washington, Bronx, New York, and Westchester in
12 the State of New York.

13 (3) PARK.—The term “Park” means the Hud-
14 son River Artists National Historical Park estab-
15 lished pursuant to section 4(b).

16 (4) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

18 (5) SITE.—The term “Site” means the Thomas
19 Cole National Historic Site established by section
20 4(a).

21 **SEC. 3. FINDINGS AND PURPOSES.**

22 (a) FINDINGS.—Congress finds that—

23 (1) the Hudson River School of Landscape
24 Painting was inspired by Thomas Cole and was
25 characterized by a group of 19th century landscape
26 artists who recorded and celebrated the landscape

1 and wilderness of America, particularly the Hudson
2 River Valley region in the State of New York;

3 (2) Thomas Cole and his student Frederic
4 Church have been recognized as America's most
5 prominent landscape and allegorical painters in the
6 mid-19th century;

7 (3) the Thomas Cole House in Greene County,
8 New York, and the Olana State Historic Site and
9 the home and studio of Frederic Church in Columbia
10 County, New York, are listed on the National Reg-
11 ister of Historic Places and are designated as Na-
12 tional Historic Landmarks;

13 (4) within a 15-mile area of the Thomas Cole
14 House, an area that forms a key part of the rich
15 cultural and natural heritage of the Hudson River
16 Valley region, significant landscapes and scenes
17 painted by the Hudson River artists survive intact;

18 (5) collectively, the resources described in para-
19 graphs (3) and (4) provide—

20 (A) opportunities for illustrating and inter-
21 preting cultural themes of the heritage of the
22 United States; and

23 (B) unique opportunities for education,
24 public use, and enjoyment; and

1 (6) New York State has established the Hudson
2 River Valley Greenway to promote the preservation,
3 public use, and enjoyment of the natural and cul-
4 tural resources of the Hudson River Valley region.

5 (b) PURPOSES.—The purposes of this Act are—

6 (1) to preserve and interpret for the benefit, in-
7 spiration, and education of the people of the United
8 States significant places illustrative and representa-
9 tive of the legacy of the Hudson River artists;

10 (2) to help maintain the integrity of the setting
11 in the Hudson River Valley region that inspired ar-
12 tistic expression;

13 (3) through cooperative management, to coordi-
14 nate the interpretive, preservation, and recreational
15 efforts of Federal, State, and other entities in the
16 Hudson River Valley region in order to enhance op-
17 portunities for education, public use, and enjoyment;
18 and

19 (4) to broaden public understanding of the
20 Hudson River Valley region and its role in American
21 prehistory, history, and culture.

22 **SEC. 4. ESTABLISHMENT OF SITE AND PARK.**

23 (a) THOMAS COLE NATIONAL HISTORIC SITE.—
24 There is established, as a unit of the National Park Sys-
25 tem, the Thomas Cole National Historic Site—

1 (1) consisting of the home and studio of Thom-
2 as Cole, which is comprised of the 3.4 acre site and
3 improvements on the site that are located at 218
4 Spring Street, Village of Catskill, State of New
5 York; and

6 (2) as generally depicted on the map entitled
7 “Thomas Cole National Historic Site Boundary
8 Map”, found in figure 3, page 16 of the report on
9 the Thomas Cole House Feasibility/Suitability Study
10 (TCH80002NAR).

11 (b) HUDSON RIVER ARTISTS NATIONAL HISTORICAL
12 PARK.—

13 (1) ESTABLISHMENT.—At such time as the
14 Secretary determines that sufficient lands, improve-
15 ments, and interests in lands and improvements
16 have been acquired, or at such time as the Secretary
17 has entered into cooperative agreements satisfying
18 the interpretive, preservation, and historical objec-
19 tives of this Act, the Secretary may establish the
20 Hudson River Artists National Historical Park in
21 the State of New York by publication in the Federal
22 Register of—

23 (A) notice of the establishment; and

1 ~~(B)~~ a detailed description or map setting
2 forth the lands and improvements included in
3 the Park.

4 ~~(2)~~ INCLUDED LANDS.—The Park shall consist
5 of—

6 ~~(A)~~ the Site, as depicted in the map re-
7 ferred to in subsection ~~(a)~~(2); and

8 ~~(B)~~ the approximately 19,471 acres of
9 lands and improvements on the lands that
10 are—

11 ~~(i)~~ owned by the State of New York;

12 ~~(ii)~~ managed as the Kaaterskill Wild
13 Forest, North Mountain Wild Forest,
14 Blackhead Range Wild Forest, North/
15 South Lake Intensive Use Area, Rogers Is-
16 land Wildlife Management Area, and Rog-
17 ers Island Overlook Scenic Area; and

18 ~~(iii)~~ under the jurisdiction of the De-
19 partment of Environmental Conservation
20 of the State of New York.

21 ~~(c)~~ MAPS.—The maps referred to in this section shall
22 be on file and available for public inspection in appropriate
23 offices of the National Park Service of the Department
24 of the Interior.

1 **SEC. 5. ACQUISITION OF REAL AND PERSONAL PROPERTY**
2 **AND SERVICES.**

3 ~~(a) REAL PROPERTY.—~~

4 ~~(1) IN GENERAL.—The Secretary may ac-~~
5 ~~quire—~~

6 ~~(A) by donation only, the lands and im-~~
7 ~~provements described in section 4(b)(2)(B); and~~

8 ~~(B) such lands and improvements in Cats-~~
9 ~~kill, New York, as are necessary for the man-~~
10 ~~agement and operation of the Site.~~

11 ~~(2) STATE LANDS.—Lands and improvements~~
12 ~~owned by the State of New York may be acquired~~
13 ~~by the Secretary only by transfer at no cost to the~~
14 ~~Federal Government.~~

15 ~~(b) PERSONAL PROPERTY.—For the purposes of the~~
16 ~~Park, the Secretary may acquire historic objects and arti-~~
17 ~~facts and other personal property associated with and ap-~~
18 ~~propriate for the interpretation of the Park.~~

19 ~~(c) OTHER PROPERTY, FUNDS, AND SERVICES.—For~~
20 ~~the purpose of carrying out this Act, the Secretary may—~~

21 ~~(1) enter into cooperative agreements with—~~

22 ~~(A) the Office of Parks, Recreation and~~
23 ~~Historic Preservation of the State of New York;~~

24 ~~(B) the Department of Environmental~~
25 ~~Conservation of the State of New York; and~~

1 ~~(C)~~ other appropriate State, county, and
 2 local entities and individuals, including—

3 ~~(i)~~ the Thomas Cole Foundation;

4 ~~(ii)~~ the Greene County Historical So-
 5 ciety;

6 ~~(iii)~~ the Hudson River Valley Green-
 7 way Council; and

8 ~~(iv)~~ other private museums and insti-
 9 tutions; and

10 ~~(2)~~ accept donated funds, property, and
 11 services.

12 **SEC. 6. ADMINISTRATION OF PARK.**

13 ~~(a)~~ IN GENERAL.—The Secretary shall administer
 14 the Park in accordance with—

15 ~~(1)~~ this Act; and

16 ~~(2)~~ all laws generally applicable to national his-
 17 toric sites, including the Acts entitled—

18 ~~(A)~~ “An Act to establish a National Park
 19 Service, and for other purposes”, approved Au-
 20 gust 25, 1916 (16 U.S.C. 1 et seq.); and

21 ~~(B)~~ “An Act to provide for the preserva-
 22 tion of historic American sites, buildings, ob-
 23 jects, and antiquities of national significance,
 24 and for other purposes”, approved August 21,
 25 1935 (16 U.S.C. 461 et seq.).

1 ~~(b) PRESERVATION AND INTERPRETATION.—~~

2 ~~(1) IN GENERAL.—Subject to paragraph (2), in~~
3 ~~administering the Park, the Secretary shall—~~

4 ~~(A) preserve and interpret the Site;~~

5 ~~(B) preserve and perpetuate knowledge~~
6 ~~and understanding, and provide for public un-~~
7 ~~derstanding and enjoyment, of the lives and~~
8 ~~works of the Hudson River artists; and~~

9 ~~(C) provide assistance to public and pri-~~
10 ~~vate entities in the interpretation of the Hudson~~
11 ~~River artists, their houses and studios, and the~~
12 ~~vistas depicted by the artists throughout the~~
13 ~~Hudson River Valley region.~~

14 ~~(2) STATE PROPERTIES.—~~

15 ~~(A) IN GENERAL.—The Secretary shall~~
16 ~~take no action with respect to the lands and~~
17 ~~structures owned by the State of New York~~
18 ~~within the boundaries of the Park except~~
19 ~~through cooperative agreements in accordance~~
20 ~~with subsection (c).~~

21 ~~(B) STATE FOREST PRESERVE.—With re-~~
22 ~~gard to lands within the State Forest Preserve,~~
23 ~~the provisions of a cooperative agreement as de-~~
24 ~~scribed in subparagraph (A) shall be in strict~~

1 conformance with the pertinent provisions of
 2 the Constitution of the State of New York.

3 ~~(c) COOPERATIVE AGREEMENTS WITH NEW YORK~~
 4 ~~AND OTHER ENTITIES.—~~

5 ~~(1) IN GENERAL.—~~

6 ~~(A) AUTHORITY OF SECRETARY.—To fur-~~
 7 ~~ther the purposes of this Act, the Secretary~~
 8 ~~may consult with and enter into cooperative~~
 9 ~~agreements with the State of New York and~~
 10 ~~other public and private entities.~~

11 ~~(B) PURPOSES OF AGREEMENTS.—Each~~
 12 ~~agreement shall—~~

13 ~~(i) facilitate the development, presen-~~
 14 ~~tation, and funding of art exhibits, resident~~
 15 ~~artist programs, and other appropriate ac-~~
 16 ~~tivities related to the preservation, inter-~~
 17 ~~pretation, development, and use of the~~
 18 ~~Park; and~~

19 ~~(ii) encourage an appreciation of the~~
 20 ~~scenic and artistic tradition inspired by the~~
 21 ~~Hudson River artists.~~

22 ~~(C) TECHNICAL ASSISTANCE.—Through~~
 23 ~~agreements, the Secretary may provide tech-~~
 24 ~~nical assistance to cooperating entities de-~~
 25 ~~scribed in subparagraph (A) for the marking,~~

1 interpretation, restoration, preservation, or in-
2 terpretation of any property listed in section 4.

3 ~~(D) INTERPRETATION AGREEMENTS.~~—The
4 Secretary may enter into additional cooperative
5 agreements to plan and coordinate the interpre-
6 tation of the cultural and natural history of the
7 Hudson River Valley region, which provides the
8 context for the work of the Hudson River
9 artists.

10 ~~(2) LIBRARY AGREEMENT.~~—The Secretary may
11 enter into a cooperative agreement with the Greene
12 County Historical Society to provide for the estab-
13 lishment of a library and research center at the Site.

14 ~~(d) GENERAL MANAGEMENT PLAN.~~—

15 ~~(1) IN GENERAL.~~—Not later than the end of
16 the second fiscal year that begins after the establish-
17 ment of the Park, the Secretary shall submit to the
18 Committee on Energy and Natural Resources of the
19 Senate and the Committee on Interior and Insular
20 Affairs of the House of Representatives a general
21 management plan for the Site and the Park.

22 ~~(2) CONSULTATION.~~—In preparing the plan,
23 the Secretary, acting through the Director of the
24 National Park Service, shall consult with advisors
25 (including representatives of cooperating entities de-

scribed in subsection (c)(1)(A), representatives of
 local and municipal interests, nationally recognized
 historians, scholars, and other experts) concerning
 the interpretation, preservation, and visitation of,
 and other issues pertaining to, the Park and other
 sites of related historical or scenic significance in the
 Hudson River Valley region.

(3) REQUIREMENTS.—The plan shall be prepared in accordance with—

(A) this subsection;

(B) section 12(b) of the Act entitled “An Act to improve the administration of the national park system by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes”, approved August 18, 1970 (16 U.S.C. 1a–7); and

(C) other applicable law.

(4) CONTENTS.—The plan shall include—

(A) recommendations and cost estimates for the identification, marking, interpretation, and preservation of properties and landscapes associated with the Hudson River artists and located throughout the Hudson River Valley region (to be carried out through cooperative

1 agreements and other means considered appro-
2 priate and practicable);

3 ~~(B) recommendations on ways to broaden~~
4 public understanding of the Hudson River Val-
5 ley region and its role in American prehistory,
6 history, and culture; and

7 ~~(C) recommendations on ways to foster rel-~~
8 evant public education, resource preservation,
9 and appropriate levels of regional tourism.

10 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated such sums
12 as are necessary to carry out this Act.

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the “Thomas Cole National*
15 *Historic Site Establishment Act of 1994”.*

16 **SEC. 2. DEFINITIONS.**

17 *As used in this Act, the term—*

18 (1) *“historic site” means the Thomas Cole Na-*
19 *tional Historic Site established by section 4 of this*
20 *Act;*

21 (2) *“Hudson River artists” means artists who*
22 *belonged to the Hudson River school of landscape*
23 *painting;*

24 (3) *“plan” means the general management plan*
25 *developed pursuant to section 6(d); and*

1 (4) “Secretary” means the Secretary of the Inte-
2 rior.

3 **SEC. 3. FINDINGS AND PURPOSES.**

4 (a) *FINDINGS.*—Congress finds that—

5 (1) the Hudson River school of landscape paint-
6 ing was inspired by Thomas Cole and was character-
7 ized by a group of nineteenth century landscape art-
8 ists who recorded and celebrated the landscape and
9 wilderness of America, particularly in the Hudson
10 River Valley region in the State of New York;

11 (2) Thomas Cole has been recognized as Ameri-
12 ca’s most prominent landscape and allegorical paint-
13 er in the mid-nineteenth century;

14 (3) the Thomas Cole House in Greene County,
15 New York is listed on the National Register of His-
16 toric Places and has been designated as a National
17 Historic Landmark;

18 (4) within a fifteen mile radius of the Thomas
19 Cole House, an area that forms a key part of the rich
20 cultural and natural heritage of the Hudson River
21 Valley region, significant landscapes and scenes
22 painted by Thomas Cole and other Hudson River art-
23 ists survive intact;

24 (5) the State of New York has established the
25 Hudson River Valley Greenway to promote the preser-

1 *vation, public use and enjoyment of the natural and*
2 *cultural resources of the Hudson River Valley region;*
3 *and*

4 *(6) establishment of the Thomas Cole National*
5 *Historic Site will provide opportunities for the illus-*
6 *tration and interpretation of cultural themes of the*
7 *heritage of the United States and unique opportuni-*
8 *ties for education, public use and enjoyment.*

9 *(b) PURPOSES.—The purposes of this Act are—*

10 *(1) to preserve and interpret the home and stu-*
11 *dio of Thomas Cole for the benefit, inspiration and*
12 *education of the people of the United States;*

13 *(2) to help maintain the integrity of the setting*
14 *in the Hudson River Valley region that inspired ar-*
15 *tistic expression;*

16 *(3) to coordinate the interpretive, preservation,*
17 *and recreational efforts of Federal, State, and other*
18 *entities in the Hudson Valley region in order to en-*
19 *hance opportunities for education, public use and en-*
20 *joyment; and*

21 *(4) to broaden understanding of the Hudson*
22 *River Valley region and its role in American history*
23 *and culture.*

1 **SEC. 4. ESTABLISHMENT OF THOMAS COLE NATIONAL HIS-**
2 **TORIC SITE.**

3 (a) *IN GENERAL.*—There is established, as a unit of
4 the National Park System, the Thomas Cole National His-
5 toric Site, in the State of New York.

6 (b) *DESCRIPTION.*—The historic site shall consist of the
7 home and studio of Thomas Cole, comprising approxi-
8 mately 3.4 acres, located at 218 Spring Street, in the village
9 of Catskill, New York, as generally depicted on the boundary
10 map numbered TCH/80002, and dated March 1992.

11 **SEC. 5. ACQUISITION OF PROPERTY.**

12 (a) *REAL PROPERTY.*—The Secretary is authorized to
13 acquire lands and interests therein within the boundaries
14 of the historic site by donation, purchase with donated or
15 appropriated funds, or exchange.

16 (b) *PERSONAL PROPERTY.*—The Secretary may also
17 acquire by the same methods as provided in subsection (a),
18 personal property associated with, and appropriate for, the
19 interpretation of the historic site: Provided, That the Sec-
20 retary may acquire works of art associated with Thomas
21 Cole and other Hudson River artists only by donation or
22 purchase with donated funds.

23 **SEC. 6. ADMINISTRATION OF SITE.**

24 (a) *IN GENERAL.*—The Secretary shall administer the
25 historic site in accordance with this Act and all laws gen-
26 erally applicable to units of the National Park System, in-

1 *cluding the Act entitled “An Act to establish a National*
 2 *Park Service, and for other purposes”, approved August 25,*
 3 *1916 (16 U.S.C. 1, 2–4), and the Act entitled “An Act to*
 4 *provide for the preservation of historic American sites,*
 5 *buildings, objects, and antiquities of national significance,*
 6 *and for other purposes”, approved August 21, 1935 (16*
 7 *U.S.C. 461 et seq.).*

8 (b) *COOPERATIVE AGREEMENTS.—(1) To further the*
 9 *purposes of this Act, the Secretary may consult with and*
 10 *enter into cooperative agreements with the State of New*
 11 *York, the Thomas Cole Foundation, and other public and*
 12 *private entities to facilitate public understanding and en-*
 13 *joyment of the lives and works of the Hudson River artists*
 14 *through the development, presentation, and funding of art*
 15 *exhibits, resident artist programs, and other appropriate*
 16 *activities related to the preservation, interpretation, and*
 17 *use of the historic site.*

18 (2) *The Secretary may enter into a cooperative agree-*
 19 *ment with the Greene County Historical Society to provide*
 20 *for the establishment of a library and research center at*
 21 *the historic site.*

22 (c) *EXHIBITS.—The Secretary may display, and ac-*
 23 *cept for the purposes of display, works of art associated with*
 24 *Thomas Cole and other Hudson River artists, as may be*
 25 *necessary for the interpretation of the historic site.*

1 (d) *GENERAL MANAGEMENT PLAN.*—Not later than 2
 2 complete fiscal years after the date of enactment of this Act,
 3 the Secretary shall develop a general management plan for
 4 the historic site. Upon its completion, such plan shall be
 5 submitted to the Committee on Energy and Natural Re-
 6 sources of the United States Senate and the Committee on
 7 Natural Resources of the United States House of Represent-
 8 atives. The plan shall include recommendations for regional
 9 wayside exhibits, to be carried out through cooperative
 10 agreements with the State of New York and other public
 11 and private entities. The plan shall be prepared in accord-
 12 ance with section 12(b) of the Act entitled “An Act to im-
 13 prove the administration of the national park system by
 14 the Secretary of the Interior, and to clarify the authorities
 15 applicable to the system, and for other purposes”, approved
 16 August 18, 1970 (16 U.S.C. 1a–1 through 1a–7).

17 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated such sums as
 19 are necessary to carry out this Act.

Amend the title so as to read: “A bill to establish
 the Thomas Cole National Historic Site in the State of
 New York, and for other purposes.”.

S 112 RS—2